IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

REVIEW PETITION NO.147 OF 2005
IN
WRIT PETITION NO.1162 OF 2005

Mrs. Sunita Nursinh Kamat ..Petitioner.
Vs.
The City Co-operative Bank Ltd. & Ors. ..
Respondents.

...

Mr. Heeralal Chaturvedi for the Petitioner.
Mr. Kishor Tembe for Respondent No.1.

...

CORAM : DR.D.Y.CHANDRACHUD, J.

21st November, 2005.

P.C. :

A recovery certificate was issued on 7th January, 2003 in the amount of Rs.12,48,588/- under Section 101 of the Maharashtra Co-operative Societies Act, 1960. An amount of Rs.5.16 lacs has been received by the bank against the recovery certificate. This amount comprises of an amount of Rs.2.06 lacs paid by the principal borrower and an amount of Rs.3,10,000/- received on the sale of one luxury bus. After giving credit of the aforesaid amount, an amount of Rs.18,63,000/- is according to the bank due and payable under the recovery certificate as at present. In these circumstances, the Review Petitioner must, if the revision is to be

entertained under Section 154(2)A deposit 50% of the amount that is recoverable, this being the mandate of the statute. In the event that the Review Petitioner does so within a period of four weeks from today and files a revision before the revisional authority, the revisional authority shall hear and dispose of the review petition on merits. Counsel appearing for the bank has no objection to the aforesaid direction. In that view of the matter, no further directions are necessary and the Review Petition is disposed of.